

Atty Sanoian, Joanne; sole practitioner (for Petitioner Larry Brugetti, Conservator)

(1) Fourth and Final Account and Report of Conservator and (2) Petition for Its Settlement, for Reimbursement of Costs Advanced and (3) Termination of Conservatorship and (4) Distribution of Assets and (5) Discharge of Conservator of Estate and Surety on Bond

DOD: 3/25/1997		LARRY A. BRUGETTI , son and Conservator of the Person and Estate appointed on 3/30/1990, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Account period: 3/24/1995 – 3/25/1997		<u>Continued from 8/17/2011. Minute Order</u> states counsel requests a continuance.	
Cont. from 081711		Accounting - \$99,106.22		1. Need original bank account statements for the account periods, pursuant to Probate Code § 2620(c).	
		Beginning POH - \$82,466.43		2. <i>Petition</i> requests that the estate funds of \$2,605.00 remaining on hand [after reimbursement of costs advanced] be “distributed either to the personal representative of the estate of Margaret Brugetti at such a time a representative is appointed or in equal shares to the living heirs pursuant to a Probate Code § 13100 Declaration at such time one is filed with the court,” and the <i>Petition</i> proceeds to list nine living heirs of the estate. Court records do not show a probate proceeding has been opened for the Decedent’s estate, and Petitioner has not filed Declarations under Probate Code § 13100 signed by any of the Decedent’s heirs in order to make distribution to them of the funds remaining on hand. Further, <i>Petition</i> states Petitioner’s attorney attempted to contact the known heirs of the estate by sending letters, and only two responses were received from the list of nine heirs. Based upon these statements in the <i>Petition</i> , a final disposition of this estate appears not to be satisfactorily requested in this matter. Need further information as to the final distribution to be made of the estate funds remaining on hand.	
		Ending POH - \$ 8,137.14		3. <i>Petition</i> does not address whether the Conservator and attorney have waived commissions and fees.	
Aff.Sub.		Subsequent Account period: 3/26/1997 – 6/24/2011		4. Need proposed order.	
✓ Verified		Accounting - \$8,763.59		Reviewed by: LEG	
Inventory		Beginning POH - \$8,137.14		Reviewed on: 9/14/11	
PTC		Ending POH - \$3,000.00 (all cash)		Updates:	
Not.Cred.		Conservator - Not addressed		Recommendation:	
✓ Notice of Hrg		Attorney - Not addressed		File 1 - Brugetti	
✓ Aff.Mail W /		Costs - \$395.00 (filing fee)			
Aff.Pub.		Bond - \$143,500.00?			
✓ Sp.Ntc. W /		(Bond filed on 5/16/1991; see Note #1 at right regarding special notice to bonding company)			
Pers.Serv.		Petitioner prays for an Order:			
Conf. Screen		1. Approving, allowing and settling the Fourth and Final Account;			
Letters		2. Authorizing reimbursement to the attorney for costs advanced; and			
Duties/S		3. Distributing the remaining cash on hand in the estate either to the personal representative of the estate of Margaret Brugetti at such a time a representative is appointed or in equal shares to the living heirs pursuant to a Probate Code § 13100 Declaration at such time one is filed with the court, as follows:			
Objection		<ul style="list-style-type: none"> • Thomas Brugetti and Jeffrey Brugetti, grandchildren, the residue beneficiaries of the Paul Brugetti Trust (Paul Brugetti, son, DOD 2008) – \$521.00 • Tom Brugetti, Randy Brugetti, and Margaret Riplinger, grandchildren (heirs of Tom Brugetti, son, DOD 1996) – \$521.00 • Vito Brugetti and Mike Brugetti, grandchildren (heirs of Pat Brugetti, son, DOD 1992) – \$521.00 • Larry Brugetti – \$521.00 • Pete Brugetti – \$521.00. 			
Video Receipt					
CI Report					
2620		X			
Order		X			
Aff. Post					
Status Rp					
UCCJEA					
Citation					
FTB Notc					

(1) Petition for Instructions, (2) for Substituted Judgment to Enter into Premarital Agreement on Behalf of Conservatee and (3) for Authorization to Compensate Attorneys [Prob. C. 2403 and 2580(b)]

Age: 46		<p>WELLS FARGO BANK NA, Conservator of the Estate, is Petitioner.</p> <p>ROBERT N. LOWDER, III and MARCIA D. LOWDER, friends, were appointed Successor Co-Conservators of the Person on 10-13-10.</p> <p>Background: On 7-6-11, the court determined that Conservatee has the capacity to enter into a valid marriage on the condition that a prenuptial agreement be executed, and the bride-to-be have independent counsel for the purpose of reviewing the agreement. Mr. Helon advised the Court that a prenuptial agreement had been drafted, and the Court authorized “fees for the reviewing of the already prepared documents including the prenuptial agreement” not exceed \$2,000.00.</p> <p>Petitioner states that as Conservator of the Estate, Petitioner has caused to be prepared a Premarital Agreement (attached), which has been approved by KATHRYN LOUISE WASHBURN and her counsel, and by Robert and Marcia Lowder, Successor Co-Conservators of the Person. The agreement is expressly contingent on and will be effective only upon court approval.</p> <p>Petitioner is states the agreement would benefit Conservatee and his estate by defining marital rights and obligations and possibly reducing potential claims and burdens on the conservatorship estate in the event of dissolution. Petitioner states the agreement will not have an adverse effect on the conservatorship estate compared to the rights and obligations in a marriage without such agreement, and believes that with the agreement, the conservatorship estate will still be adequate to provide for the conservatee and those legally entitled to support from the conservatee. At the close of the 21st Account (8-1-10), the estimated value of the conservatee’s estate was \$1,208,941.79, with no significant liabilities.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. On 7-6-11, the Court ordered attorney fees not exceed \$2,000.00. Petitioner requests a slightly higher amount (\$2,245.50 plus \$501.50 in costs, itemized).</p> <p>2. Need new Order per Local Rules 7.6.1.A,D,E: The Order should contain the agreement, rather than referencing the agreement as attached to the Petition, with a signature line for the Judge appearing last.</p>	
DOD: 8-14-65				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			X
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

SEE PAGE 2

(1) Petition for Instructions, (2) for Substituted Judgment to Enter into Premarital Agreement on Behalf of Conservatee and (3) for Authorization to Compensate Attorneys [Prob. C. 2403 and 2580(b)]

SUMMARY (Continued):

Ms. Washburn has no significant assets, and does have liabilities in the approximate amount of \$11,000.00 from student loans. Ms. Washburn does not have health insurance, and after the marriage, Petitioner will need to expend conservatorship estate funds to obtain such insurance to help protect the conservatorship estate from potential health care costs of providing for his spouse as a dependent entitled to support during marriage.

Petitioner states the agreement was prepared by Attorney John M. McDaniel, a family law specialist and partner in the firm of Helon & Manfredo, LLP, and requests \$2,245.50 plus \$501.50 in costs. Itemization of 8.98 hours @ \$250.00/hr includes research, conference with Conservatee, preparation for hearing, review of drafts and associated documentation, and communications and review with Wells Fargo and counsel for Conservatee.

The agreement as attached is not signed yet, but contains signature lines and notary acknowledgments for the following parties:

- Donald Lewis McDaniels (Conservatee)
- Gary G. Bagdasarian (Attorney for Conservatee)
- Kathryn Louise Washburn (Fiancée)
- Richard A. Harris (Attorney for Kathryn Louise Washburn)
- Wells Fargo Bank, NA (Conservator of the Estate)
- Attorney for Wells Fargo Bank, NA (Conservator of the Estate)
- Robert N. Lowder, III (Successor Co-Conservator of the Person)
- Marcia Lowder (Successor Co-Conservator of the Person)
- Gary L. Motsenbocker (Attorney for Successor Co-Conservators of the Person)

The proposed order also dispenses with notice to two half-sisters whose whereabouts remain unknown despite reasonable efforts.

Petitioner prays for an Order approving the Premarital Agreement and authorizing Petitioner's execution on behalf of the Conservatee and his estate; and authorizing attorney fees and costs as requested.

Atty **Motsenbocker, Gary L.; sole practitioner (for Carl V. Decker, Executor)**

(1) First and Final Account and Report of Executor and Petition for Its Settlement, and (2) Petition for Final Distribution, and (3) for Allowance of Ordinary and Extraordinary Fees (Prob. C. 10951, 11000 et seq, 10810, 1060 et seq)

DOD: 4/12/2010		CARL V. DECKER , spouse and Executor, is Petitioner. <u>Account period: 4/12/2010 – 8/1/2011</u> Accounting - \$129,683.61 Beginning POH - \$129,520.00 Ending POH - \$112,353.16 Executor - waives Attorney - \$4,575.51 <i>(statutory)</i> Attorney XO - \$10,957.50 <i>(for services rendered from 1/2011 through 7/2011 totaling 47.1 hours @ \$225.00 attorney rate and \$90.00 legal assistant rate; representation in contested proceedings consisting of legal research, drafting and filing pleadings and points and authorities, responding to discovery requests, and attendance at hearings)</i> Distribution pursuant to Decedent's Will and the Mutual General Release and Settlement Agreement filed on 8/19/2011 is to: <ul style="list-style-type: none"> CARL V. DECKER – \$51,820.15 cash; JOY HARRIS – \$45,000.00 cash and jewelry, gold coin, 4-poster bed and household furniture and furnishings. 	NEEDS/PROBLEMS/COMMENTS:
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC		
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail w/		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

Reviewed by: LEG
Reviewed on: 9/16/11
Updates:
Recommendation:
File 3 - Decker

DOD: 4/20/07		ELAINE MCKINNIS , Executor, is petitioner. Accounting is waived. I & A - \$80,722.90 Executor - waives Attorney - waives Distribution, pursuant to Decedent's Will, is to: Elaine McKinnis, as Trustee of the Naoye and Marian Togashi Living Trust - \$80,822.88.	NEEDS/PROBLEMS/COMMENTS: Need Amended Accounting based on the following: 1. Inventory and appraisal lists the property at the date of death as all cash. Receipt schedule shows receipt of "Payment on United States Savings Bonds" and "ING Annuity & Life Insurance Company" The property on the inventory and appraisal should be property owned by the decedent as of the date of death. It appears that both items listed as receipts were items that should have been listed on the inventory and valued as of the decedent's date of death. United States Savings Bonds would need to be appraised by the Probate Referee. Need amended inventory and appraisal and amended accounting. 2. Summary of account lists the property on hand at the beginning of the account period as 0. Property on hand at the beginning of the account period should be the property the decedent had on the date of death. 3. Petition does not contain a statement regarding if notice to the Franchise Tax Board was performed, as required by Probate Code 9202(c)(1).
Cont. from 081711			
Aff.Sub.Wit.			
✓ Verified			
✓ Inventory			
✓ PTC			
✓ Not.Cred.			
✓ Notice of Hrg	W/O		
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
✓ Letters	10/20/10		
Duties/Supp			
Objections			
Video Receipt			
CI Report			
✓ 9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice	X		

Reviewed by: KT
Reviewed on: 9/14/11
Updates:
Recommendation:
File 4 - Togashi

DOD: 12/16/10		MARY L. FIFER , Administrator, is petitioner. Accounting is waived. I & A - \$168,108.48 POH - \$168,108.48 Administrator - waives Attorney - waives Distribution, pursuant to intestate succession, is to: Mary L. Fifer - ½ interest in real property and \$14,054.24. Maurice Joy, Jr. - ½ interest in real property and \$14,054.24.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/O
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			4/5/11
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 9/15/11	
			Updates:	
			Recommendation: SUBMITTED	
			File 5 – Joy	

(1) First Account and Report of Conservator, (2) Petition for Approval of Reconveyance of Deed of Trust and for (3) Allowance of Fees to Conservator of the Estate and Person (Prob. C 2620)

Age: 92 years DOB: 5/9/1919			CHARLES LAMBETECCHIO , Conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Account period: 6/3/11 – 7/29/11	
			Accounting - \$150,486.03	
Cont. from			Beginning POH - \$145,830.22	
	Aff.Sub.Wit.		Ending POH - \$134,235.74	
✓	Verified		Conservator - waives	
✓	Inventory		Attorney - \$2,000.00 (per Local Rule)	
✓	PTC		Costs - \$1,020.96 (filing fee, certified copies, probate referee)	
	Not.Cred.		Petitioner states among the assets of the conservatee, is a promissory note, secured by a Deed of Trust, from the conservator Charles Lambetecchio. On 6/7/11, after the order appointing him as conservator of the person and estate, Charles Lambetecchio paid off the promissory note in full, by remitting the sum of \$75,961.79 and deposited that amount into the conservatee's bank account. The Deed of Trust originally signed by the Conservator should now be reconveyed back to him.	
✓	Notice of Hrg		Petitioner prays for an Order:	
✓	Aff.Mail	W/	1. Approving, allowing and settling the first account;	Reviewed by: KT
	Aff.Pub.		2. Authorizing payment of the attorney fees and costs.	Reviewed on: 9/15/11
	Sp.Ntc.		3. Approving the execution of a Reconveyance by the conservator on the conservatee's behalf which will convey the property held as security of the promissory note.	Updates:
	Pers.Serv.			Recommendation:
	Conf. Screen			File 6 - Brinkhaus
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	2620(c)			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 9		TEMPORARY EXPIRES 9/21/11		NEEDS/PROBLEMS/COMMENTS:	
DOB: 01/30/02		RAYMOND VARGAS and MARJORIE VARGAS , paternal grandparents, are Petitioners.		Continued from 8/10/11. Minute Order states the court orders that all prior orders remain in full force and effect. The court further orders that Ms. Hays bring proof of her attendance at AA/AN at the next hearing.	
		Father: ALEXANDER VARGAS , <i>deceased</i>			
Cont. from 072011, 081011		Mother: KATHRYNE HAYS , <i>personally served 05/12/11</i>		Minute order from 07/20/11 stated: Court orders Kathryn Hays to attend a minimum of 2 AA meetings per week until next hearing and to bring proof of her attendance to the next hearing. Court requests each party to bring information regarding the school of their choice to the next hearing. Parties reach agreement regarding visitation. Mother to visit every other weekend beginning Friday at 5pm through Sunday at 5pm. Mother to pick up at the guardian's residence and bring a licensed driver with her. Guardians to pick up the child from mother's home.	
Aff.Sub.Wit.		Maternal grandfather: SCOTT HAYS, <i>served by mail 05/11/11</i>			
✓	Verified	Maternal grandmother: JULIA HAYS, <i>served by mail 05/11/11</i>		As of 9/14/11, no additional documents have been filed and the following remains outstanding:	
	Inventory	Siblings: ETHAN BALL (4), SARAH BALL (4), <i>both served by mail 05/11/11</i>			
	PTC	Petitioners states that the minors father is deceased and the mother has left minor in their care. Minor has resided with Petitioners since September 2009 and that they have fully supported the minor since that time. Petitioners state that the minor is entitled to social security benefits due to the death of her father, but the mother receives these benefits and does not forward them on to the minor. Petitioners further states that the mother has two other children who reside with their father. Petitioners state that they and the mother entered into a custody agreement in September 2009 that authorized Petitioners to care for minor but did not alter any legal rights or responsibilities, since it now appears that this will be a permanent arrangement, petitioners believe it is in the best interest that they be appointed as the minor's guardians.		1. Need Order and Letters.	
	Not.Cred.	Mother filed objections to the Guardianship on 05/23/11 and 07/18/11 and Memorandum of Points & Authorities in Opposition to Appointment of Guardian on 07/18/11. Mother objects to the guardianship and states that the she has always cared for the minor and she only allowed the minor to reside with the petitioners to allow her to attend a private school. Mother states that there is no detriment to the child to be returned to her care.			
✓	Notice of Hrg			Reviewed by: JF/KT	
✓	Aff.Mail			Reviewed on: 9/15/11	
	Aff.Pub.			Updates:	
	Sp.Ntc.			Recommendation:	
✓	Pers.Serv.			File 7 – Vargas	
✓	Conf. Screen				
	Letters	X			
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
	Order	X			
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				

Salvador age: 12 years DOB: 8/16/99		<p align="center"><u>Temporary Expires 8/17/11</u></p> <p>JESSE NOYOLA and JUANITA NOYOLA, maternal grandparents, are petitioners.</p> <p>Father: SALVADOR DELGADO, SR. – <i>personally served on 6/25/11</i></p> <p>Mother: CRYSTAL DELGADO – <i>deceased</i>.</p> <p>Paternal grandfather: Salvador Guadalupe Delgado Paternal grandfather: Crispina Delgado</p> <p>Petitioners state the children have not seen their father since their parents separated about four years ago. The younger child hardly remembers his father at all. The older child remembers his father as being a violent and mean man. Mr. Delgado [father] was convicted of a drug offense and served time either in County jail or State prison. It is Petitioners belief that the father continues to use illicit drugs. The children's primary home has always been with petitioners. They have attended the same school since kindergarten. To change their residence now that they lost just lost their mother would be very detrimental to their psychological and emotional well-being.</p> <p>Objections of father, Salvador Delgado, filed on 8/4/11 states during his marriage to the children's mother he experienced domestic violence not only from his wife but also his in-laws [petitioners]. They humiliated him and said he was a worthless wet back from Mexico. Jessie would beat him for no reason. In 1999 his in-laws [petitioners] move in with him and his wife. They put a strain on the marriage. After he separated from the children's mother, he continued close contact with the children. The children's mother would continue to call and bring the children for visits. Mr. Delgado states he would see the boys two or three days per week for about 4 hours each visit. The boys continued to visit with Mr. Delgado [father] until their mother's death.</p> <p align="center"><i>Continued on additional page</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/17/11. As of 9/14/11 the following issues remain:</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice on: <ol style="list-style-type: none"> a. Salvador Delgado, Jr. (minor, age 12) 2. Petition requests the Court dispense with notice to the paternal grandparents stating they live in Mexico and Petitioner has no way of obtaining their address. If court does not dispense with notice, will need proof of service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Salvador Guadalupe Delgado (paternal grandfather) b. Crispina Delgado (paternal grandmother) 	
Jesus age: 10 years DOB: 1/1/01				
Cont. from 081711				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W/
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			

Reviewed by: KT

Reviewed on: 9/14/11

Updates:

Recommendation:

File 8 - Delgado

Objections continued: Objector states the maternal grandparents claim that Mr. Delgado [father] continues to use drugs and alcohol, which is not true. Mr. Delgado states he has been sober for a number of years. The maternal grandparents cannot provide a home that is free of alcohol and abuse. Mr. Delgado states he has attached a copy of a restraining order filed by the maternal grandmother where she states the maternal grandfather is an alcoholic and physically abusive. It also states the maternal grandmother is not healthy and gets seizures. Also attached is a court docket showing the maternal grandfather has problems with alcohol and is still on probation for DUI.

Court Investigator Jennifer Young's Report filed on 8/11/11.

**Petition to Determine Succession to Real Property and Personal Property
Estates \$100,000 or Less**

DOD: 4/3/10		SANDRA FULLER , surviving spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD.	Continued from 8/22/11. As of 9/14/11 there have been no additional documents filed.
Cont. from 082211		No other proceedings.	
<input type="checkbox"/>	Aff.Sub.Wit.		Need Amended Petition base on the following:
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	<input checked="" type="checkbox"/>	1. Need Notice of Hearing.
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		2. Need proof of service of the Notice of Hearing on: a. Shannon Dawn Sanchez (daughter) b. Chad Alan Fuller (son)
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	3. Pursuant to the petition, Decedent died intestate, survived by his spouse and two children. Therefore pursuant to Probate Code §6400 et seq. the property would pass to the surviving spouse and children. Pursuant to Probate Code §13150 et seq. the petition must be joined in by all those who have succeeded to the property. Need amended petition with all persons who succeed to the property.
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		4. Need Inventory and appraisal
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		5. Need attachment 11 containing the legal description of the real property and personal property.
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		6. Signatures of Petitioner and attorney are not dated.
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		7. Need attachment 13 containing the specific property interest claimed by the petitioner.
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		8. Need Order
<input type="checkbox"/>	Order	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff. Posting		Reviewed by: KT
<input type="checkbox"/>	Status Rpt		Reviewed on: 9/14/11
<input type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 9 - Fuller

Petition for Order for Appointment of Successor Co-Trustee [Probate Code 17200 (b)(10)]

			FLORENCE MILLER , Trustee, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail	W/		
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Petition to Modify the Terms of the Trust [Probate Code 15403, 17200(b)(13)]

		GARY PITTS , Trustee, is petitioner.	NEEDS/PROBLEMS /COMMENTS:
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
<p>Petitioner states he was a joint Trustor and Trustee of the Gary and Bruna Pitts 1989 Trust, dated 5/10/1989. The Trust was amended on 12/16/1995. Upon the death of Petitioner's spouse Bruna Pitts, the Gary and Bruna Pitts 1989 Trust was administered and divided into sub-trusts known as the "Survivor's Share," the "Marital Deduction Share," and the "Credit Share." It is the Credit Share that is the subject of this petitioner.</p> <p>Petitioner requests this Court modify the terms of the Trust by allowing Petitioner to distribute the Trust assets immediately.</p> <p>The Trust provides that the surviving spouse [petitioner] is entitled to all net income from the Trust. The trustee shall distribute principal, at his discretion, that the surviving spouse is "in need of funds for his or her support in accordance with the surviving's spouse's accustomed manner of living, maintenance, or medical, dental, hospital and nursing services. These distributions are limited, however, insofar as the Survivor's Share must first be exhausted.</p> <p>Upon the death of the surviving spouse [petitioner] the residue of the trust shall be distributed, outright, free of trust in the following manner:</p> <p>a) Distributions to Parents. In the event either Raymond L. Pitts or Louise E. Pitts, survives both trustors, then the real property . . . shall be distributed to them or the survivor of them. Both Raymond L. Pitts and Louise E. Pitts failed to survive therefore this gift lapses.</p> <p>b) Distribution to Employees. In the event Wendell Wilson or Richard Stark are employed by the surviving Trustor or any entity the shares of which or interest therein comprises any portion of the trust estate, then each such above-named individual who is employed at that time shall receive the sum of \$100,000. Trustor retired and sold his business therefore this gift lapses.</p> <p>c) Disposition of the Remainder. The remainder of the trust distributes 50% to the siblings of Bruna Pitts and 50% to the siblings of Gary Pitts. Petitioner states he is not in financial need of the trust income and he does not qualify for discretionary distributions. Petitioner would like to see his family and Bruna's family enjoy the Trust assets during his lifetime. It was the intent of the joint trustors that their siblings would receive and enjoy the bequests.</p> <p>Petitioner states it is in the best interest of the remainder beneficiaries for the court to modify the distribution provision of the Trust to allow Petitioner as Trustee, to distribute the Trust assets to the remainder beneficiaries.</p> <p>Petitioner prays for an Order of this Court:</p> <p>1. To modify the terms of the Trust to authorize distribution of all Trust residue to the remainder beneficiaries.</p>			

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 4/4/11		JOHN EVELAND , sole testate heir, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	
Cont. from		No other proceedings	
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory	I & A - \$30,000.00	
	PTC		
	Not.Cred.	Will dated: 12/30/09 devises Decedent's entire estate to Petitioner.	
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.	Petitioner requests Court determination that Decedent's 100% interest in real property pass to him pursuant to Decedent's Will.	
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: NRN
			Reviewed on: 9/15/11
			Updates:
			Recommendation: SUBMITTED
			File 12 – Owen

**Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee
(Prob. C. § 1860, et seq.)**

DOD: 8/14/10	<p>PUBLIC GUARDIAN was appointed conservator of the person and estate on 5/23/02 and Letters issued.</p> <p>The 4th account was approved on 2/23/10 showing the ending property on hand of \$3,416.22.</p> <p>This status hearing was set for termination of proceedings for deceased conservatee.</p> <p>Status Report filed by the Public Guardian on 7/8/11 states the Public Guardian's Office is in the process of preparing the final account. However, they need more time to speak with the family to determine how to distribute the personal property and burial plots.</p> <p>Therefore, the Public Guardian requests the next status hearing be set no earlier than 60 days from the date of this hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR. Fifth and Final Account filed and set for hearing on 10/27/11.</p>
Cont. from 071311		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
<p>Reviewed by: KT</p> <p>Reviewed on: 9/14/11</p> <p>Updates: 9/19/11</p> <p>Recommendation:</p> <p>File 13 - Shumaker</p>		

14 Richard Green (CONS/E)
Atty Kruthers, Heather H (for the Public Guardian/Conservator)
Atty LeVan, Nancy J. (Court Appointed for Conservatee)

Case No. 05CEPR00833

**Probate Status Hearing Re: Termination of Proceeding for Deceased Conservatee
(Prob. C. § 1860, et seq.)**

Age:			NEEDS/PROBLEMS/COMMENTS:	
DOD:				
Cont. from				<u>OFF CALENDAR.</u> Calendared in error.
Aff.Sub.Wit.				
Verified				
Inventory				
PTC				
Not.Cred.				
Notice of Hrg				
Aff.Mail				
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
Conf. Screen				
Letters				
Duties/Supp				
Objections				
Video Receipt				
CI Report				
9202				
Order				
Aff. Posting			Reviewed by: KT	
Status Rpt			Reviewed on: 9/15/11	
UCCJEA			Updates:	
Citation			Recommendation:	
FTB Notice			File 14 - Green	

Probate Status Hearing Re: Filing of the First Account

		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> Order Approving First and Final Account was signed on 8/11/11.
Cont. from		
	Aff.Sub.Wit.	
	Verified	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	
	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
	Letters	
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
	9202	
	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	
		Reviewed by: KT
		Reviewed on: 9/14/11
		Updates:
		Recommendation:
		File 15 - Ravdin

Probate Status Hearing Re: Proof of Funds in Blocked Account

Age: 15 years	<p>JULIE FULCHER, mother, was appointed guardian of the estate on 6/9/11.</p> <p>Order states \$240,000 was to be placed into a blocked account at Union Bank in Fresno with receipts to be filed.</p> <p>Status Report filed on 9/19/11 states to date the insurance company issued and mailed the insurance check to Petitioner but the check was never received. Per the request of the attorney and petitioner, the check was cancelled and reissued but has not yet been received. Petitioner requests the hearing be continued for 30 days to receive the funds and place them into a blocked account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 8/17/11. Minute order states counsel advises that they are waiting on the insurance to payout the proceeds.</p>
DOB: 2/15/1996		
Cont. from 081711		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p>Reviewed by: KT</p> <p>Reviewed on: 9/14/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16 - Fulcher</p>

Atty Felisciano, Erica (pro per – maternal aunt/Petitioner)

Atty Dominguez, Dora (pro per – maternal grandmother/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 4		<p><u>TEMPORARY EXPIRES 9/21/11</u> <u>THIS PETITION IS AS TO THE MINOR</u> <u>LUIS ANTONIO LEYVA ONLY</u></p> <p>ERICA FELISCIANO, maternal aunt and DORA DOMINGUEZ, maternal grandmother, are Petitioners.</p> <p>Father: JOSE ENRIQUE LEYVA Mother: SOPHIA FELISCIANO; <i>Minute Order of 8/17/11 dispenses with notice to Mother</i></p> <p>Paternal grandfather: ENRIQUE LEYVA Paternal grandmother: CHELA RODRIGUEZ Maternal grandfather: ERIC FELISCIANO Siblings: MARIA HERRERA, PAULINA HERRERA, TAMARA HERRERA (all under 12 years of age)</p> <p>Petitioners state that the child's mother is unfit to care for the child and has no place to live. Minor previously lived with Petitioner Dora Dominguez in Mexico from 06/15/07 to 10/31/10 when Mother came and got him. Petitioner Dominguez now lives in the United States and wants joint guardianship with Petitioner Felisciano. Petitioner Felisciano was appointed guardian of minor's siblings on 08/31/09. Father lives in Mexico.</p> <p><u>Court Investigator Samantha Henson's report, filed 6/8/11.</u></p> <p><u>Court Investigator Jennifer Young's Report, filed 8/15/11.</u></p>	<p>NEEDS/PROBLEMS/COMMENTS: <u>**THIS PETITION IS AS TO THE MINOR LUIS ANTONIO LEYVA ONLY**</u></p> <p><i>Continued from 8/17/11. Minute Order states: <u>The Court dispenses with notice to mother, Sophia Felisciano, and finds that it would be futile. The Court continues the matter to 9/21/11. The temporary is extended to 9/21/11. The Court orders that the minors not be taken out of the State of California. Dora Dominguez provides her address of residence to the Court.</u></i></p> <p>Note: Per Minute Order of 6/15/11, the Court retracted the order regarding visits for the minor's father, Jose Enrique Leyva, and ordered supervised visits for the mother, Sophia Felisciano.</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service at least 15 court days before the hearing of <i>Notice of Hearing</i> along with a copy of the <i>Petition for Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Jose Enrique Leyva (father) 3. Need proof of mail service at least 15 court days before the hearing of <i>Notice of Hearing</i> along with a copy of the <i>Petition for Guardianship or Consent and Waiver of Notice or Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Enrique Leyva (paternal grandfather) b. Chela Rodriguez (paternal grandmother)
DOB: 11/24/06			
Cont. from 061511, 081711			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg	x		
Aff.Mail	x		
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.	x		
Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			

Atty Matlak, Steven M.

Atty Diaz, Huber (pro per Guardian)
 Atty Diaz, Sarah Maria (pro per Guardian)
 Atty Barrientos, Cesar (pro per Petitioner/father)
 Petition for Visitation

Abigail Age: 8 DOB: 12/5/03		<p>CESAR BARRIENTOS, father, is petitioner.</p> <p>HUBER DIAZ and SARA MARIA DIAZ, paternal grandparents, were appointed guardians on 2/9/11.</p> <p>Mother: MERCEDES GARCIA</p> <p>Maternal grandfather: Richard Garcia Maternal grandmother: Marbella Rivera</p> <p>Petitioner states he would like the court to order visitation every weekend from Friday at 4:00 p.m. to Sunday at 4:00 p.m.</p> <p>In the alternative just Saturday from 9:00 a.m. to 9:00 p.m.</p> <p>Petitioner states he is requesting the court order visitation because there have been consistent issues and problems with his parents regarding visits with his children. It will continue to be a problem until the court settles the issue.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Fee Waiver of the Petitioner, Cesar Barrientos, was denied on 7/20/11. Therefore a filing fee of \$40 is now due. 2. Need <i>Notice of Hearing</i>. 3. Need proof of service of the <i>Notice of Hearing</i> on: <ol style="list-style-type: none"> a. Huber Diaz (guardian) b. Sara Maria Diaz (guardian) c. Mercedes Garcia (mother) d. Richard Garcia (maternal grandfather) e. Marbella Rivera (maternal grandmother) 	
Cesaranthony Age: 4 DOB: 7/20/07				
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			X
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 9/15/11		
		Updates:		
		Recommendation:		
		File 19 – Garcia & Barrientos		

		MICHELLE LOWE , daughter and sole heir, was appointed Administrator with Full IAEA without bond and Letters issued on 3-1-11.	NEEDS/PROBLEMS/COMMENTS:
DOD: 8-8-07			
		At hearing on 3-1-11, the court set status hearing for 8-3-11 for filing of the Inventory and appraisal.	<u>OFF CALENDAR</u>
Cont. from 080311			
<input type="checkbox"/>	Aff.Sub.Wit.	On 8-3-11, there were no appearances. The Court continued the matter to 9-21-11 and ordered Ms. Lowe to be present unless the Inventory and Appraisal is filed.	I&A filed 8-26-11.
<input type="checkbox"/>	Verified		
<input checked="" type="checkbox"/>	Inventory	The Final Inventory and Appraisal was filed 8-26-11.	
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
<input type="checkbox"/>			
			Updates:
			Contacts: Reviewed 9-14-11
			Recommendation:
			Reviewed by: skc
			File 20 - Ware

**21 Ruby Garcia, Jessica Garcia, Isaiah Venegas, (GUARD/P) Case No. 11CEPR00125
Ruben Venegas, Faith Rose Venegas**

Atty Frances Marie Venegas Lopez (Pro Per – Mother – Petitioner)
Atty Monica Nallely Cardenas (Pro Per – Paternal Aunt – Temporary Guardian of Ruben and Isaiah)
Atty Bobby Joe Grider (Pro Per – Maternal Uncle – Guardian of Faith)
Atty Helen D. Grider Venegas (Pro Per – Maternal Aunt – Guardian of Jessica)
Atty Roman Grider and Monica Acevedo (Pro Per – Maternal Cousins – Co-Guardians of Ruby)

Petition for Visitation

Faith Rose Venegas (12) DOB: 12-7-98	<p>FRANCES MARIE VENEGAS, Mother, is Petitioner.</p> <p>Guardianship of the five (5) minors was established 6-20-11:</p> <p>ROMAN GRIDER and MONICA ACEVEDO, a maternal cousin, and his longtime girlfriend, were appointed Co-Guardians of Ruby (2).</p> <p>HELEN D. GRIDER VENEGAS, a maternal aunt, was appointed Guardian of Jessica (8).</p> <p>BOBBY JOE GRIDER, a maternal uncle, was appointed Guardian of Faith (12).</p> <p>PATRICIA MARQUEZ GOMEZ, a longtime family friend (“aunt”) was appointed Guardian of Ruben (7) and Isaiah (5).</p> <p>MONICA NALLELY CARDENAS, a Paternal Aunt, was appointed Temporary Guardian of Ruben (7) and Isaiah (5) on 8-22-11 because Ms. Gomez was deported. Hearing on Ms. Cardenas’ general petition is set for 10-11-11.</p> <p>On 6-20-11, Mother was granted unsupervised visitation each and every Saturday from 12:30 to 7:30 pm.</p> <p>In addition, Patricia Garcia, Angel Garcia, and Monica Nallely Cardenas (paternal grandparents and aunt) were granted visitation each and every Sunday from 3:00 to 5:00 pm.</p> <p>Mother’s Petition for Visitation filed 7-19-11 states visitation has been going great. Mother is currently enrolled in a parenting class and attends rehabilitation counseling. Attached are letters regarding her progress. Mother states she loves her children and takes full responsibility for her actions that caused their removal. Mother states she is moving forward and requests that the Court allow overnight visits. Mother states all guardians are supportive of this and know she is a good mother. Mother hopes that she is on the right track to get her children back.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> Parties may be Spanish-speaking.</p> <p><u>Upcoming hearings:</u></p> <p><u>10-11-11:</u> Guardianship of Ruben and Isaiah. (Temporary granted 8-22-11 expires 10-11-11.)</p> <p><u>10-24-11:</u> Status hearings for progress of the minors.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of Notice of Hearing with a copy of the Petition at least 15 days prior to the hearing on all guardians, and Faith (12) per Probate Code §1460. 3. The court may also require notice to Patricia and Angel Garcia because they currently have visitation on Sundays.
Jessica Garcia (8) DOB: 11-17-02		
Ruben Venegas (7) DOB: 11-22-03		
Isaiah Venegas (5) DOB: 5-30-06		
Ruby Frances Garcia (2) DOB: 2-16-09		
Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg X		
Aff.Mail X		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

Age: 1 DOB: 09/29/09		<u>TEMPORARY EXPIRES 08/03/11</u>		NEEDS/PROBLEMS/COMMENTS:	
		LESLIE SMOTHERS , maternal great-aunt, is Petitioner.		<u>Continued from 8/3/11. Minute Order states:</u> The Court orders that the weekend visits with mother continue. The exchange is to take place at 5:00 p.m. at the guardian's home. The Court further orders that minor sleep in mother's room but may sleep in a separate bed. Minor is not to be left in a room alone with the door closed. There is to be no disparaging remarks among the parties. The Court orders that a court investigator speak with the parties in an effort to gather information that would assist the Court at the next hearing.	
		Father: UNKNOWN - <u>Declaration of Due Diligence filed 07/08/11</u>			
Cont. from 080311		Mother: ASHLEY QUINN SMOTHERS - <u>personally served 06/17/11 – Proof of service does not indicate that a copy of the petition was served along with the Notice of Hearing</u>			
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
	Aff.Mail		x		
	Aff.Pub.				
	Sp.Ntc.				
✓	Pers.Serv.				
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
		Paternal grandfather: UNKNOWN Paternal grandmother: UNKNOWN Maternal grandfather: UNKNOWN - <u>declaration of due diligence filed 07/08/11</u> Maternal grandmother: BONNIE SMOTHERS - <u>Consent and Waiver of Notice filed 07/05/11</u>		1. Need proof of service by mail of Notice of Hearing with a copy of Petition for Guardianship 15 days prior to the hearing or consent and waiver of notice or declarations of due diligence on: - Paternal grandparents (UNKNOWN)	
		Petitioner states she was previously Guardian of Mother when she was a minor, and this child has lived with Petitioner continually since his birth. Petitioner states she is unable to seek medical care for the child and he is behind on his vaccinations. She fears for his physical/emotional needs.			
		Court Investigator Jennifer Young's report filed 07/25/11.			
		Court Investigator Jennifer Young's Supplemental C.I. Report filed 9/16/11.			
		<u>SEE ATTACHED PAGE</u>		<u>SEE ATTACHED PAGE</u>	
	Aff. Posting			Updates:	
	Status Rpt			Contacts: copy of notes in file	
✓	UCCJEA			Recommendation:	
	Citation			Reviewed by: NRN	
	FTB Notice			File 22 - Smothers	

Cont'd:

- **Declaration from Petitioner Leslie Smothers, filed 8/1/11, states:**

1. Petitioner has had the care of the minor for his entire life; mother left Petitioner's home when minor was 2 months old. Mother only visited the minor occasionally; in November 2010, mother took the minor and all his belongings, and then returned the minor to Petitioner just 2 days later;
2. The minor has always been a loving and affectionate child, however since the visits have started, he has changed; he now returns after the weekend with his mother and screams, hits, and claws at everyone; this lasts until about Wednesday evening; by Thursday, he is loving and calm; on Friday, Petitioner has to force him into the carseat in his mother's car;
3. Mother told Petitioner that when Grayson is in trouble she locks him in his room, and also locks him in his bedroom when she (mother) and Greg are arguing; the minor is terrified of closed doors;
4. Ashley told Petitioner that having Grayson in her and Greg's care would lower Greg's child support (Ashley is currently pregnant);
5. Ashley has always said she "likes it the way it is" with Petitioner and her parents caring for the minor;
6. Mother has indicated to the C.I. that Petitioner does not take the minor nor pick the minor up for visits, however this is only because Greg Miller told her he did not want her at his house.

- **Further Declaration of Petitioner, filed 9/13/11, states:**

1. Petitioner recently spoke to mother on the phone, and Petitioner heard mother's husband (not the minor's biological father) yelling that the minor is "not his kid" and that he will not pay for anything for him, and using expletives with respect to the minor – all in the minor's presence;
2. Mother has also indicated she will take the minor despite what the Court says.

***Several letters were submitted on behalf of Petitioner Leslie Smothers on 8/1/11, in support of the guardianship Petition.**

23

Atty Romo, John (pro per Petitioner/maternal grandfather)

Atty Romo, Irene (pro per Petitioner/maternal grandmother)

Petition for Appointment of Guardian of the Person and Estate (Prob. C. 1510)

Ernesto age: 13 years DOB: 11/2/1997		<p>THERE IS NO TEMPORARY. No Temporary was requested.</p> <p>JOHN ROMO and IRENE ROMO, maternal grandparents, are petitioners.</p> <p>Father: HARVEY ZUNIGA</p> <p>Mother: RAYNA ROMO</p> <p>Paternal grandfather: Pedro Zuniga – served by mail on 8/1/11.</p> <p>Paternal grandmother: Mary Zuniga – served by mail on 8/1/11.</p> <p>Petitioners state CPS has recommended that they apply for guardianship because the children have been living in an unstable environment where drugs and alcohol are frequently used by the parents.</p> <p>Court Investigator Charlotte Bien's Report filed on 9/7/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof personal service of the Notice of Hearing along with a copy of the petition, or consent and waiver of notice or declaration of due diligence on:</p> <ul style="list-style-type: none"> a. Harvey Zuniga (father) b. Rayna Romo (mother) c. Ernesto Zuniga (minor age 13) <p>- <u>Note:</u> Parents, Harvy Zuniga and Rayna Romo have signed the form nominating petitioners as guardians but did not sign the portion of the form that waives notice of the hearing.</p> <p>2. UCCJEA is incomplete. Need residence information from 2006 to 9/2009.</p>
Israel age: 11 years DOB: 9/21/99			
Brandon age: 5 years DOB: 11/5/05			
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
<p>Reviewed by: KT</p> <p>Reviewed on: 9/15/11</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 24 – Zuniga & Romo</p>			

Atty Longoria, Irma (pro per Petitioner/paternal grandmother)
Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Andrea age: 13 years DOB: 4/8/1998		<p>THERE IS NO TEMPORARY. No temporary was requested.</p> <p>IRMA LONGORIA, paternal grandmother, is petitioner.</p> <p>Father: LOUIE LONGORIA - <i>consents and waives notice.</i></p> <p>Mother: REGINA DEVINE</p> <p>Paternal grandfather: Unknown Maternal grandfather: Ronald Devine Maternal grandmother: Linda Devine.</p> <p>Petitioner states she has been taking care of the twins since birth, because both parent were in prison. Following the release of the mother, she took all of her children, including the oldest who had been living with the other grandparents. When she returned to prison less than a year later, Petitioner felt it was her obligation to give the children a stable home.</p> <p>Court Investigator Jennifer Young's Report filed on 9/14/11.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Regina Devine (mother) 3. Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice or declaration of due diligence on: <ol style="list-style-type: none"> a. Ronald Devine (maternal grandfather) b. Linda Devine (maternal grandmother) c. Unknown paternal grandfather. 4. #1c of the Child Information Attachment was not completed regarding American Indian ancestry.
Alicia age: 9 years DOB: 1/28/2002			
Gabriella age: 9 years DOB: 1/28/2002			
Cont. from			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg		
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Reviewed by: KT
Reviewed on: 9/15/11
Updates:
Recommendation:
File 25 - Longoria